

In re Appln. of ANDRIESSEN et al.
Application No. 10/659,982

REMARKS

The Office Action of January 31, 2005, advises that claims 1-10 are subject to a restriction requirement. Specifically, claims 1-7 are said to constitute Group I (drawn to process) and claims 8-10 are said to constitute Group II (drawn to product). The Office Action advises that, because of the purported divergent claimed subject matter set forth in Groups I and II, a search must be undertaken in different classes.

Applicants respectfully traverse the restriction requirement. Although the inventions of Groups I and II may be patentably distinct, applicants submit that a single search would provide all prior art relevant to each group due to the overlapping nature of the subject matter claimed therein. For example, in conducting a search for the product, processes for preparing the product would also necessarily be searched because the product is, in fact, prepared as a result of the process. Hence, a prior art search for the product will overlap a prior art search for the process. Withdrawal of the restriction requirement on this basis is respectfully requested.

If the restriction requirement is made final, however, applicants provisionally elect the claims of Group I (1-7) for prosecution at this time.

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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